

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25022 of 2021

Arising Out of PS. Case No.-406 Year-2020 Thana- BAJPATTI District- Sitamarhi

RAM SAKAL SAH Son of Late Bhola Sah Resident of Village - Barri
Phulwariya, P.S.- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Humayou Ahmad Khan, APP
For the informant	:	Mr. Amit Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and other sections of the Indian Penal Code.

As per the prosecution case, it is stated by learned counsel for the petitioner that while his grand son Murari along with others were coming after having meal in *shradh*, it is stated that the accused persons including petitioner herein started to assault him indiscriminately with a knife leading to death of his grand son and injury to Rishi Kumar.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the F.I.R. it would transpire that the allegations are



general and omnibus in nature. Learned counsel for the petitioner further refers to the order dated 31.8.2021 passed in Cr. Misc.no. 21918 of 2021 (Annexure 2) to the supplementary affidavit whereby bail was granted by this Court to coaccused Bachchan Sah. Referring to the said order it is submitted that the witnesses Anis Kumar and Chandan Kumar have specifically stated that it was accused Ganesh Sah who took knife from his waist and stabbed Murari Kumar in his chest while coaccused Thaga Sah stabbed Rishi Kumar. The petitioner is in custody since 9.11.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R. but there is direct allegation against him that he along with others have actively participated in the occurrence and caused serious injuries to the grand son of the informant leading to his death.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with grant of bail to coaccused Bachchan Sah as also the contents of the order dated 31.8.2021 (Annexure-2), the Court directs the petitioner to be



enlarged on bail in connection with Bajpatti P.S. Case no. 406 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi.

(Partha Sarthy, J)

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